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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RAO, SHRINIVAS H

ART UNIT PAPER NUMBER

2814

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,644

Applicant(s)

JACOBSEN, JEFFREY JAY

Examiner

Steven H. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-23,27,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 15-23,27,29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

Applicants' amendment faxed on July 15, 2004 has been entered on October 26, 2004.

Therefore claims 15-23 and 27 as previously recited and presently newly added claims 29-30 are currently pending in the Application.

Claims 1-14 and 24-26 and 28 have been cancelled.

Drawings

The supplemental drawings filed on September 13, 2004 are objected to because fig. 13 b (as also previously indicated does not have sufficient margin see 37CFR 1.84(g) the top margin is not acceptable. The drawing requirement is made FINAL.

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the reasons set out above.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Information Disclosure Statement

The information disclosure statement September 13, 2004 has been considered. The single U.S. reference therein has been considered and the 1449 initialed along with

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instructions to the contract staff to mail a copy of the initialed PTO-1449 along with the instant Office Action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 to 21, 23, 27 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duthaler et al. (U.S. Patent No. 6,312, 304, herein after Duthaler) in view of Falls S et al. (WO. Patent No. 97/05556, herein after Falls).

With respect to claim 15 Duthaler describes a method of manufacturing a flexible display panel (Duthaler col. 2 lines 26-27) comprising: depositing a plurality of blocks onto a flexible layer (Duthaler figure 1 # 18), each of said blocks comprising a circuit element for driving a picture element (Duthaler col. 4 lines 12-29 . fig. 8a to 11 # 136,142, col. 7 line 8 to 37) ;

Duthaler does not specifically describe the coupling of a receiver to the plurality of blocks on the flexible layer.

However Falls in figure figures 1,6,7 and pages 27 lines 7 to 12 describes the coupling of a receiver to the plurality of blocks on the flexible layer to automate real-time information display, dynamic printed information display an shelf-space management .

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Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include Fall's receiver coupled to the plurality of blocks on the flexible layer to automate real-time information display, dynamic printed information display an shelf-space management. (Falls page 9 lines 18-27).

With respect to claim 16 Duthaler describes the method of claim 15, wherein said flexible display panel conforms to a desired shape of an object when said flexible display panel is attached to said object.(Falls page 11 lines 3 to 34).

With respect to claim 17 Duthaler describes the method of claim 15, wherein each of said shaped blocks comprises an active circuit element, which drives a picture element. (Duthaler figures 8A to 11, col. 7 line 8 to 37, Falls figs. 1,6 and 7 , page 10 lines 15-20).

With respect to claim 18 Duthaler describes the method of claim 15, further comprising: coupling a display generation substrate to said flexible layer.(Falls fig. 13 , page 58 lines 6 to 29).

With respect to claim 19 Duthaler describes the method of claim 15, wherein said flexible display panel comprises an active matrix display back plane which comprises at least one electrode for each picture element. (Duthaler figure 8a , col. 7 lines 8 to 53).

With respect to claim 20 , Duthaler describes The method of claim 15, wherein said flexible display panel is conformal. (i.e. as defined in the specification page 5 section [0017] they may receive information in order to alter or configure display- (Falls page 27, lines 17 to 20)

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With respect to claim 21, Duthaler describes the method of claim 15, wherein the flexible display panel has an organic light emitting diode.(Duthaler col.8 lines 44).

With respect to claim 23, Duthaler describes the method of claim 15, wherein the receiver is a RF wireless transponder receiver (Falls page 3 lines 17 to19).

With respect to claim 27 Duthaler describes a method of manufacturing a flexible display panel depositing a plurality of blocks onto a web material defined by a length 50 times greater than its width, each of said blocks comprises an electronic device for driving a picture element; and coupling a receiver to the plurality of blocks on the web material. (Duthaler col. 2 lines 27-45, Falls figs. 1,6 and 7,etc.).

With respect to claim 29 Duthaler describes the method of claim 15 wherein said coupling a receiver to the plurality of blocks on the flexible layer further comprises depositing said receiver onto said flexible substrate. (Falls page 27, 15-21, embodiment when receiver directly mounted on the back of visual display 137)

With respect to claim 30 describes the method of claim 29 wherein said receiver causes information on said flexible display panel to change. (Falls page 27, lines 20 – 27).

B. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Duthaler et al. (U.S. Patent No. 6,312, 304, herein after Duthaler) and Falls S et al. (WO. Patent No. 97/05556, herein after Falls) as applied to claims 15-21 , etc. and further in view of Bischel et al. (U.S. Patent No. 5,664,032 herein after Bischel).

With respect to claim 22, Duthaler describes The method of claim 15.

Duthaler and Falls do not specifically mention the flexible display panel as comprising up converting phosphor.

However Bischel in col. 94 lines 5-10 describes up converting phosphor to radiate desired display color by channeling light through particular wavelength by wave guides and thus eliminate the need for a separate diffusing screen.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include Bischel's up converting phosphor in Duthaler and Falls S's method to radiate desired display color by channeling light through particular wavelength by wave guides and thus eliminate the need for a separate diffusing screen. (Bischel col. 94 lines 8-10).

Response to Arguments

Applicant's arguments filed 9/13/2004 have been fully considered but they are not persuasive for the following reasons:

Applicants' arguments are based piecemeal analysis of the applied Duthaler and Falls references, it has been held that one cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combination of references. In re Keller, 208 USPQ 871 (CCPA 1981).

Duthaler describes a flexible display panel (Duthaler col. 2 lines 26-27) comprising: depositing a plurality of blocks onto a flexible layer (Duthaler figure 1 # 18), each of said blocks comprising a circuit element for driving a picture element (Duthaler col. 4 lines 12-29 . fig. 8a to 11 # 136,142, col. 7 line 8 to 37) ;

Applicants' conclusion that Duthaler is unrelated to the invention is based on a lack of understanding or Applicant and their Attorney's misunderstanding of the Duthaler reference which in col. 2 lines 26-27 describes a flexible display panel :

In one embodiment, the modulating layer comprises a flexible substrate. For example, the modulating layer can be an organic substrate.

Therefore Duthaler description cannot be limited to what the Applicants' wish is taught by Duthaler (which in the above cited lines teaches the flexible layer similar to the flexible layer recited in the claims).

It is noted that in independent claim 15 " flexible display " is only recited in the preamble for which no patentable weight can be given.

Applicants' contend that Duthaler does not teach/describe ' a substrate that has a plurality of blocks deposited thereon wherein each of the blocks comprises a circuit element to drive a picture element " is not persuasive because this argument is not commensurate with the presently recited claims. (e.g. First independent claim 15)

claim 15 : A method of manufacturing a flexible display panel comprising:
depositing a plurality of blocks onto a flexible layer, each of said blocks comprising a circuit element for driving a picture element; and coupling a receiver to the plurality of blocks on the flexible layer.

It is noted that " substrate " is clearly absent from the claim recitation.

Applicants' and their attorneys are reminded that U.S practice requires " the limitations on which the Applicant relies (substrate) are not stated in the claims. It is the claims that define claimed invention, and it is claims, not specification that are

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anticipated or unpatentable." Constant V Advanced Micro-Devices , Inc. , & USPQ2d 1064. , see also In re Prater, 162 USPQ541(CCPA 1969).

Duthaler however as pointed above teaches flexible layer (i.e. flexible layer - Duthaler col. 2 lines 26-27) comprising: depositing a plurality of blocks onto a flexible layer (Duthaler figure 1 # 18), each of said blocks comprising a circuit element for driving a picture element (Duthaler col. 4 lines 12-29 . fig. 8a to 11 # 136,142, col. 7 line 8 to 37) ;

Therefore Duthaler teaches/describes the recited , " flexible display panel comprising: depositing a plurality of blocks onto a flexible layer, each of said blocks comprising a circuit element for driving a picture element;" .

Applicants' contention that the applied Falls reference does not teach/describe the coupling of the receiver to blocks (that are deposited onto a flexible substrate)" is not persuasive for the reasons of piece meal analysis and Applicants' contention with respect to "substrate" being not commensurate with the presently recited claims (both above response) incorporated here by reference.

It is further noted that the applied primary reference Duthaler describes plurality of blocks deposited onto a flexible substrate therefore it not necessary for the secondary Falls reference to again describe and duplicate the same teachings .

Applicants are reminded if all teachings are found in a single reference a 102 rejection would have been given instead of the outstanding 103 rejections.

Applicants' attempt to interpret teachings of Falls as not describing /teaching " the coupling of the receiver to blocks (that are deposited onto a flexible

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substrate) " is not persuasive because Falls teaches the coupling of the receiver to blocks at least on page 27 lines 7 to 12 and as stated above at least Duthaler teaches each of said blocks comprising a circuit element for driving a picture element (Duthaler col. 4 lines 12-29 . fig. 8a to 11 # 136,142, col. 7 line 8 to 37) ;

Therefore the combination of Duthaler and Falls teaches all of the presently recited limitations.

Applicants' essentially repeat their above arguments, in their arguments with respect to claim 22, and the arguments were not found persuasive above and are not found persuasive herein also for reasons stated above and incorporated here by reference.

Claim 29 was alleged to be allowable, because of its dependency upon claim 15, however as claim 15 is not allowable claim 29 is also not allowable.

The recitation, " depositing said receiver onto said flexible substrate" is described at least (Duthaler figure 1 # 18)as stated above.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Steven H. Rao whose telephone number is (703) 306-5945. The examiner can normally be reached on Monday- Friday from approximately 7:00 a.m. to 5:30 p.m.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. The Group facsimile number is (703) 308-7724.

SR
Steven H Rao
Oct 16/2009